

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

JIMMIE HINELY,

Plaintiff,

v.

CIVIL ACTION NO. 1:07-CV-64

MICHAEL J. ASTRUE,
COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

ORDER

On August 22, 2007 the plaintiff moved the Court for leave to file his Brief in support of Motion for Summary Judgment [Document 12]. In support of the motion the plaintiff represented to the Court that this is the second time that this matter has come before the Court and that the administrative transcript [Document 7] is in excess of 1200 pages. The Court by Order [Document 11] has allowed the plaintiff until 8/31/07 to file his Motion for Summary Judgment and Supporting Brief. Pursuant to **L.R.Gen.P 83.12(d)** the motion is timely filed. The Defendant does not object to the Motion. The Court being of the opinion that the Plaintiff's motion should be granted, it is

ORDERED that Plaintiff's brief in support of his Summary Judgment may exceed the fifteen page limit established in L.R.Gen.P. 83.12(d), but may not exceed twenty-five (25) pages.

The Clerk is directed to transmit copies of this Order to counsel of record herein.

ENTER: August 23, 2007.

/s/ *John S. Kaull*
John S. Kaull
United States Magistrate Judge